

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA  
FOURTH DIVISION

**AALFA Family Clinic**, et al.

Plaintiffs,

v.

**Tim Walz**, et al.,

Defendants.

Case No. 0:20-cv-01037-PJS-DTS

**[PROPOSED] ORDER GRANTING PLAINTIFFS'  
MOTION FOR PRELIMINARY INJUNCTION**

The Court concludes that there is a substantial probability that the plaintiffs will succeed on the merits of their equal-protection challenges to the State's enforcement of its elective-surgery ban and its stay-at-home orders. The Court also concludes that the plaintiffs will suffer irreparable injury absent a preliminary injunction, that the harm to the defendants from the requested injunction is minimal, and that the public interest strongly supports the issuance of preliminary injunctive relief. It is therefore ORDERED that:

1. Defendant Walz and Defendant Malcolm, and their officers, agents, servants, employees, attorneys, designees, and subordinates, as well as any person acting in concert or participation with them, are ENJOINED from enforcing Executive Order 20-09, Executive Order 20-20, Executive Order 20-30, Executive Order 20-48, and any current or future executive order that restricts elective surgeries, regulates the use or consumption of personal protective equipment (PPE), restricts church attendance, or imposes social-distancing requirements of any sort, unless and until those orders are amended or clarified to prohibit surgical abortions except for patients who are contra-indicated for medication abortion, or for patients who were unable to schedule and

obtain a medication abortion during the time in which medication abortion is legally available in Minnesota.

2. Defendants Planned Parenthood North Central States, Whole Woman's Health of the Twin Cities LLC, WE Health Clinic P.A., and Robbinsdale Clinic, and their officers, agents, servants, employees, attorneys, designees, and subordinates, as well as any person acting in concert or participation with them, are ENJOINED from performing surgical abortions except on patients who are contraindicated for medication abortion, or on patients who were unable to schedule and obtain medication abortion during the time in which medication abortion is legally available in Minnesota. This injunction will remain in effect only while state officials continue to enforce measures that restrict elective surgeries, regulate the use or consumption of personal protective equipment (PPE), restrict church attendance, or impose social-distancing requirements of any sort.

Dated: \_\_\_\_\_, 2020

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PATRICK J. SCHILTZ  
UNITED STATES DISTRICT JUDGE